

**IN THE UNITED STATES DISTRICT COURT
FOR THE DISTRICT OF DELAWARE**

ST. CLAIR INTELLECTUAL PROPERTY
CONSULTANTS, INC.,

Plaintiff,

v.

MIRAGE SYSTEMS, INC. *et al.*,

Defendant.

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Civil Action No. 05-273 JJF

PLAINTIFF ST. CLAIR'S STATUS REPORT

On March 8, 2006, the Court stayed this Action pending resolution of the patent ownership dispute between Plaintiff St. Clair Intellectual Property Consultants, Inc. ("St. Clair") and Defendant Eastman Kodak Company ("Kodak") in *Eastman Kodak Company v. Speas et al.*, Civil Action No. 05-039164 (Cal. Sup. Ct. April 12, 2005). Pursuant to the Court's July 17, 2006 Order requiring a Status Report every ninety (90) days, St. Clair submits this report.

St. Clair and Kodak signed a Memorandum of Understanding ("MOU") settling all claims between them regarding the Roberts patents in January 2008. Kodak further stipulated on February 14, 2008, that the MOU is binding and provides for the resolution of all claims between the parties regarding the Roberts patents. (*See Ex. A.*) St. Clair does not agree with Kodak's recent characterization that the settlement is in principle only. St. Clair is not including a copy of the MOU with its Status Report because Kodak has taken the position that St. Clair will be in breach of the agreement if it voluntarily discloses the MOU to the District of Delaware, even if for this Court's *in camera* review. (*See Ex. B.*) St. Clair has executed and delivered full settlement and licensing documents to Kodak in compliance with this binding MOU. Kodak has

rejected this tender, demanding new terms entirely outside the scope of the MOU and rejecting express terms agreed to in the MOU.

Dated: April 14, 2008

SEITZ, VAN OGTROP & GREEN

/s/ Patricia P. McGonigle

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